THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.22350 OF 2006

Dated: 01-02-2007

Between:

M/s Shree Khiwaj Traders ...Petitioner

And

The Commercial Tax Officer ...Respondent

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.22350 OF 2006

O R D E R *(Per the Hon'ble Sri Justice Bilal Nazki)*

Heard learned counsel for the parties.

The grievance of the petitioner is that after the enforcement of the Andhra Pradesh Value Added Tax Act, 2005 (for short "the Act"), he had filed an application under Section 13 of the Act in form 115 and the respondent was supposed to issue form 116. Without taking any action in terms of Section 13 of the Act, on the application moved by the petitioner, demands have been raised which are impugned in this writ petition.

On instructions, the learned Special Standing Counsel for Commercial Taxes submits that it is a fact that application under Section 13 of the Act made by the petitioner is pending and because of a technical snag in the computer, the application could not be decided.

In this view of the matter, we allow the writ petition, set aside the demands raised by the respondent and direct the respondent to consider the application of the petitioner filed under Section 13 of the Act, in form 115, and take a decision if form 116 has to be issued. This can be done within a period of four weeks. No order as to costs.

(Bilal Nazki,J)

Dated 1st February, 2007

(Nooty Ramamohana Rao,J)

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